

**HARBOUR WATCH POA
RULES AND REGULATIONS**

harbourwatchrules@gmail.com

Revision: January 1, 2019

TABLE OF CONTENTS

AIM OF THE DEVELOPMENT..... 3

GENERAL COVENANTS AND RESTRICTIONS:

1. Residential Use Only.....	3
2. Parking and Garages.....	3
3. Vehicle Maintenance and Repair.....	3
4. Signs.....	4
5. Underbrush, Finished Yards, etc.....	4
6. Approved Builders.....	4
7. Occupants Bound.....	4
8. Square Footage of Dwellings.....	5
9. Pets.....	5
10. Nuisances.....	5
11. Noise.....	5
12. Unsightly or Unkempt Condition.....	6
13. Antennas, Satellite Dishes and Solar Panels.....	6
14. Service Yards and Garbage Collection.....	6
15. Guns.....	6
16. Pools.....	6
17. Tents, Trailers and Temporary Structures.....	7
18. Drainage.....	7
19. Construction Regulations of the ASC Guidelines.....	7
20. House Numbers and Mailboxes.....	7
21. Continuity of Construction.....	7
22. Leasing.....	7
23. Waiver for Setbacks, Building Lines and Building Restrictions.....	8
24. Well limitations; Water Supply.....	8
25. Sewage Disposal.....	8
26. No Overhead Wires.....	8
27. Lighting Restrictions.....	8
28. Multiple Ownership.....	8
29. Tree Cutting Restrictions.....	9
30. Exterior Appearances.....	9
31. No Subdivision of Lots.....	9
32. Wall and Fences.....	9

ASC APPROVAL and HOURS OF CONSTRUCTION:

33. Prior ASC Approval..... 10
34. Hours of Construction..... 10

LANDSCAPING, LAWNS AND MAINTENANCE:

35. Landscaping..... 11
36. Landscape Additions and Improvements..... 11
37. Irrigation Systems..... 11
38. Lawn and Landscape Maintenance.....12
39. POA Owned Maintenance Equipment..... 12

ADDITIONAL HWPOA RULES and REGULATIONS:

40. Solicitation..... 12
41. Burning Debris Policy and Fire Pits.....13
42. Fireworks..... 14
43. Recreational Equipment..... 14
44. Golf Carts..... 14
45. Traffic Safety..... 15

LAKEFRONT RESTRICTIONS:

46. 75-Foot Buffer Zone..... 15
47. Restrictions on Lakes and Lakefront Areas..... 16
48. Dock Maintenance and Improvements..... 17

AMENITIES:

49. Common Areas and Vegetative Buffer Areas..... 17
50. Clubhouse..... 18
51. Pool..... 18
52. Tennis Courts.....20
53. Exercise Room..... 20
54. Putting Green..... 20
55. Sunrise Pointe, Community Parks and Nature Trails..... 20
56. Privacy Gate at Entrance..... 20
57. Marina Use by POA Members.....20
58. Boat Ramp..... 21
59. Designated Boat Trailer Parking Guidelines..... 21
 **Map for Boat Trailer Parking 22

ENFORCEMENT PROCEDURES..... 23

APPEALS PROCESS.....24

AIM OF THE DEVELOPMENT

Harbour Watch on Lake Murray is a highly restrictive, and environmentally sensitive, residential community. The primary aim is to achieve a high quality, aesthetically pleasing, and compatible residential community which strives to preserve the environmental setting, as well as to preserve and enhance each Owner's investment. This is achieved through the use of Protective Covenants that balance the needs of a residential community with those of the natural environment. (Protective Covenants, Section 7.04)

Note: Some of the following Rules and Regulations may also be found in other Harbour Watch (HW) documents. Included with each rule, restriction or regulation is a reference to the HW Document that may be accessed for more information. All HW Documents are available on the Harbour Watch community website, www.harbourwatch.mysite.com.

GENERAL COVENANTS AND RESTRICTIONS

1. **Residential Use Only:** The Lots shall be used for residential purposes only, and no commercial use shall be permitted. *(Protective Covenants, Section 11.01)*
2. **Parking and Garages:** All vehicles shall be allowed to be parked only in garages, in driveways, or in the designated areas in which parking is allowed. All commercial vehicles (i.e. those having lettering or logos), tractors, golf carts, motor cycles, motor homes, trailers, (either with or without wheels), campers, camping trailers, boats, and other watercraft, boat trailers and any unregistered vehicle must be parked entirely within a garage unless otherwise permitted by the Board. No garage may be altered in such a manner that the number of automobiles which may reasonably be parked therein after the alteration, is less than the number of automobiles that could have reasonably been parked in the garage as originally constructed. Garage doors shall be kept closed when the garage is not in active use. Vehicles and recreational equipment, as described above, will be considered out of compliance if they remain in violation for a period of twenty four (24) hours or if found to be in violation for less than twenty four (24) hours on a repetitive basis. *(Protective Covenants, Section 11.02)*

Because Harbour Watch is a lake community, a POA member may find it necessary to park a boat and trailer in the driveway **greater than 24 hours** for maintenance or cleaning. This may be permitted on a case-by-case basis with **prior written notification to and approval from the HWPOA Board**, by sending an email to harbourwatchrules@gmail.com.

3. **Vehicle Maintenance and Repair:** Except in an emergency situation, no maintenance or repairs shall be performed on any vehicles upon any portion of the Property, unless performed fully inside a garage. Notwithstanding the foregoing, all repairs to disabled vehicles within the Property must be completed within eight (8) hours from its

immobilization or the vehicle must be removed. (*Protective Covenants, Section 11.03*)

4. **Signs:** No sign or other advertising device of any nature shall be placed upon any part of the Property. Signs and other advertising devices may not be erected, placed or maintained on any Lot or any portion of the Common Property unless approved in writing by both the ASC and Developer as to color, location, nature, size and other characteristics. In no instance will an Owner be allowed to erect or maintain a “sale” or “rent” sign to advertise the resale or rental of a Lot or dwelling within the Property, in the 75 foot buffer zone or along the shoreline. (*Protective Covenants, Section 11.04*)

Also, No “sale” or “rent” sign may be placed on gazebos, on fixed piers or floating docks. A sales board has been provided outside the entrance gates in order to allow Owners to advertise properties for sale. **Signs in windows are not allowed.**

5. **Underbrush, Finished Yards, etc.:** In the event that the Owner of any Lot permits any underbrush, weeds, etc. to grow upon any Lot, or fails to maintain landscaping and grass in a neat and attractive manner, in keeping with the community, as determined by the Board, the Board may issue a Ten Day Compliance Demand requiring the Owner to bring the Lot into keeping with the community. (*Protective Covenants, Section 11.05*)

For traffic safety reasons, no shrubbery or trees will be allowed to obstruct the visibility of the roadside area. (*ASC Guidelines, Sections, 5.6.9*)

Excessive use of pesticides, herbicides, fertilizers, and other hazardous chemicals is prohibited within Harbour Watch. Yard debris, such as lawn or shrubbery clippings, should not be disposed of in common areas, vacant lots, vegetative buffer areas, storm drains, or the 75-foot buffer zone.

6. **Approved Builders:** All construction of Buildings on any Lot located within the Property of Harbour Watch shall be made by a builder approved by the ASC. (*Protective Covenants, Section 11.06 and ASC Guidelines, Section 4.4*)
7. **Occupants Bound:** All provisions of these Covenants, other Harbour Watch documents, and any rules or regulations or use restrictions which govern the conduct of Owners and which provide for sanctions against Owners shall also apply to all occupants of any Lot. (*Protective Covenants, Section 11.07*)

Owners are also responsible for any of their guests that may violate any rule, regulation, or restriction as described in the Harbour Watch governing documents. Owners will be financially responsible for any necessary repair or maintenance to HW Common Areas and/or private property of another Lot Owner due to neglect, reckless behavior, or disregard to rules and regulations by their guests or any occupant of their home.

8. **Square Footage of Dwellings:** The minimum size of dwellings must be approved by the ASC, along with the other architectural features. (*Protective Covenants, Section 11.08 and ASC Guidelines, Section 5.1.1*)

9. **Pets:** No animals, livestock or poultry of any kind may be raised, bred, kept or permitted on any Lot, with the exception of a reasonable amount of generally recognized household pets, which may be kept in dwellings within the Property. Household pets shall, at all times whenever they are outside an Owner's Lot, be confined on a leash held by a responsible person and shall be walked only in those areas designated by the POA. Such pets must be kept or maintained solely as domestic pets and not for any commercial purpose. No pet may be allowed to make an unreasonable amount of noise or to become a nuisance. (*Protective Covenants, Section 11.09*)

All Owners and their guests are required to pick up after their pets at all times. Waste bags are available, for this purpose, throughout the community and must be disposed of properly after use. At no time shall waste be disposed of in common areas or unimproved lots. Waste should not be allowed to accumulate on Owners Lot so as to be unsightly or create a noxious odor to any property in close proximity to the Lot.

10. **Nuisances:** It is the responsibility of each Owner to prevent the development of any unclean, unhealthy, unsightly, or unkempt condition on his or her Lot. No Lot shall be used, in whole or in part, for the storage of any property or item that will cause the Lot to appear to be in an unclean or untidy condition or that will be unpleasant to the eye. No substance, thing, or material shall be kept on any Lot that will emit foul or noxious odors or might disturb the peace, quiet, safety, comfort or serenity of the occupants of surrounding property. No obnoxious or offensive activity shall be carried out upon any Lot or Common Property, nor shall anything be done tending to cause embarrassment, discomfort, annoyance, or nuisance to any person using any property in proximity to the Lot. There shall not be maintained any plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant or of a nature as may diminish or destroy the enjoyment of the Property. (*Protective Covenants, Section 11.10*)

POA members should be mindful that "second hand smoke or vapors" drifting onto any property in proximity to where the act of smoking is taking place can cause discomfort and be considered an annoyance and nuisance to other POA members. Efforts should be made to redirect or screen the "second hand smoke or vapors" away from neighboring lots.

11. **Noise:** No exterior speaker, horn, whistle, bell, or other sound device which is unreasonably loud or annoying (except security devices) shall be located, used or placed within a Lot or other portion of the Property. The playing of loud music within any Building or from the balcony, porch, or patio thereof, shall be considered noxious and

offensive behavior shall be determined to be a nuisance. Loud motorcycles and gas powered golf carts will be considered a nuisance. *(Protective Covenants, Section 11.11)*

12. **Unsightly or Unkempt Condition:** The pursuit of obnoxious hobbies or other offensive activities, including the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly or unkempt conditions, shall not be pursued or undertaken on any part of the Property. *(Protective Covenants, Section 11.12)*
13. **Antennas, Satellite Dishes and Solar Panels:** No exterior television or radio antennas or satellite dishes of any kind shall be placed, allowed, or maintained upon any Lot or other portion of the Property, without the prior written consent of the ASC. *(Protective Covenants, Section 11.13)*
14. **Service Yards and Garbage Collection:** Each Owner of a home shall provide visually-screened areas to serve as service yards in which garbage receptacles, fuel tanks (if not buried), gas and electric meters, air conditioning equipment, materials, supplies and equipment must be placed or stored in order to conceal them from view from roads and adjacent properties from all directions, including the lake. Any such visual barrier shall generally be at least six(6) feet high and shall consist of fencing or other screening approved by the Architectural Standards Committee. All garbage cans, above-ground tanks and other similar items shall be located or screened so as to be concealed from view of neighboring Lots, streets and property located adjacent to the Lot. All rubbish, trash and garbage shall be regularly removed from the Lot and not allowed to accumulate. *(Protective Covenants, Section 11.14 and ASC Guidelines Section 5.5)*

Garbage and recycle receptacles are not to remain on the street more than twenty-four (24) hours before scheduled pick up time. They must be removed from the street at least **twenty-four (24) hours after** the garbage/recycle pick up is collected, so as not to clutter the street for extended days.

15. **Guns:** The use of firearms within the Property is prohibited. The term “firearms” includes “B-B” guns, pellet guns, and other firearms of all types, regardless of size. *(Protective Covenants, Section 11.15)*

Bows and arrows and all other projectiles are also not permitted for use within Harbour Watch.

16. **Pools:** No above ground pools shall be erected, constructed, or installed on any Lot. *(Protective Covenants, Section 11.16 and ASC Guidelines, Section 5.2)*

17. **Tents, Trailers and Temporary Structures:** Owners or occupants shall not place upon a Lot or any part of the Property any structure of a temporary nature, such as a tent, trailer, shack, or utility shed. *(Protective Covenants, Section 11.17)*
18. **Drainage:** No owner shall do or permit any work, construct any improvements place any landscaping or allow the evidence of any condition whatsoever which shall alter or interfere with the drainage pattern of the Property, except to the extent such alterations and drainage pattern is approved in writing by the ASC or board. *(Protective Covenants, Section 11.18 and ASC Guidelines, Section 10.5)*
19. **Construction Regulations of the ASC Guidelines:** All Owners and contractors shall familiarize themselves with the portions of the ASC Guidelines relating to constructions regulations and comply within. Such regulations may affect, without limitation, the following issues: trash and debris removal; sanitary facilities; parking areas; outside storage; restoration of damaged property; conduct and behavior of builders, subcontractors and Owner's representatives on the Property at any time, the conservation of landscape materials; and fire protection. *(Protective Covenants, Section 11.19 and ASC Guidelines)*
20. **House Numbers and Mailboxes:** Each dwelling shall have a house number, mail box and paper box with a design and location established by the ASC. *(Protective Covenants, Section 11.20 and ASC Guidelines, Section 5.12)*
21. **Continuity of Construction:** All construction of improvements on any Lot shall be prosecuted diligently to completion and shall be completed within twelve (12) months of commencement of Lot clearing activities, unless an exception is granted in writing by the ASC. If an improvement is commenced and construction is then abandoned for more than thirty (30) days, or if construction is not completed within the required time period, then fines may be imposed on the Owner of the Lot. *(Protective Covenants, Section 11.21)*
22. **Leasing:** Each Owner shall have the right to lease such residential structure and assign to the tenant of Lot such Owner's rights of access and enjoyment, subject to the following conditions:
 - (a) All leases shall be in writing and for a minimum term of ninety (90) days.
 - (b) The lease shall be specifically subject to the Harbour Watch Documents. Any failure of tenant to comply with Harbour Watch documents shall be a default under the lease.
 - (c) The Owner shall be liable for any violation of the HW Documents committed by the Owner's tenant.

(Protective Covenants, Section 11.22)

23. **Waiver for Setbacks, Building Lines and Building Restrictions:** Developer and the ASC may for good cause, waive violations of the setbacks and building lines provided for in Section 10.05. (*See Protective Covenants, Sections 10.05 and 11.23 ; and ASC Guidelines, Section 5.4*)

24. **Well limitations; Water supply:** No individual water system or well of any type shall be maintained, drilled or permitted on any Lot without the express written permission of Declarant or ASC. (*Protective Covenants, Section 11.24 and ASC Guidelines, Section 5.6.4*)

The installation of irrigation pumps on lake front lots are allowed on the 75-foot buffer owned by SCE&G, but must have prior written approval from the ASC.
(*ASC Guideline, Section VII*)

25. **Sewage Disposal:** No private sewage disposal unit shall be installed or maintained on the and without the express written consent of Declarant. (*Protective Covenants, Section 11.25*)

26. **No Overhead Wires:** All telephone, electric and other utility lines and connections between the main utility lines and the dwelling or other Building located on each Lot shall be concealed and located under ground. (*Protective Covenants, Section 11.26*)

27. **Lighting Restrictions:** It will be the responsibility of each individual Lot Owner to ensure that all lighting is used in such a manner not to be considered a nuisance or annoyance to the surrounding Lots. The ASC shall have the authority to administer, control and prohibit any and all exterior lighting to include the authority to require the use of timers, motion detectors, hoods and shields in order to minimize the impact of such lighting on neighboring Lots. The reasonable use of holiday lights from 12:01am on Thanksgiving Day until 11:59pm on New Years Day shall be exempt from the provisions of this Section. (*Protective Covenants, Section 11.27*)

All exterior lighting (except landscape lighting, holiday lighting, etc. specifically approved by the ASC) must be operated by motion detectors and/or timers. Non-timed direct light rays should be shielded from view by others. (*ASC Guidelines, Section 5.15*)

28. **Multiple Ownership:** No Lot in HW may be sold, conveyed or utilized under any type of timesharing, time interval, multiple vacation ownership or similar right-to-use program of any type (including any common ownership with more than four (4) individual Owners or corporate ownership) without the prior written consent of the Developer. (*Protective Covenants, Section 11.28*)

29. **Tree Cutting Restrictions:** All reasonable efforts should be made to protect the “landmark trees” within Harbour Watch. Any tree with a diameter in excess of six inches measured two feet above the ground shall not be damaged, destroyed or removed **without the written approval of the ASC.** (*Protective Covenants, Section 11.29 and ASC Guidelines, Sections 5.6.13 and 5.10*)

30. **Exterior Appearances:** Harbour Watch is intended to be a very well kept community. Exteriors of all homes must be kept neat and clear of clutter. All blinds, curtains, and other window treatments within dwellings must conform to regulations established by the POA. Except within screened service yards, outside clotheslines or other outside facilities or drying or airing clothes are specifically prohibited and shall not be erected, placed or maintained within the Property. No clothing, rugs, or other items shall be hung on any railing, fence, hedge, or wall of any structure within the property. (*Protective Covenants, Section 11.30*)

No foil or reflective materials shall be used on any windows for sunscreens, blinds, shades or other purpose, nor shall any window-mounted heating or air-conditioning units be permitted. (*ASC Guidelines, Section 5.5*)

All window treatment must be kept in good condition as seen from the outside. Except in emergency situations, window treatments within dwellings are prohibited that are not primarily sold as window treatments (ex: sheets, cardboard, plywood, etc.)

Each Owner shall be responsible for the maintenance and care of all exterior surfaces of all dwellings, buildings, and other structures on their Lot. (*Protective Covenants, Section 9.01*)

Homeowners are required to keep roof shingles and all other exterior portions of their home and other structures clean and free of discoloration, debris and dirt.

All significant landscape changes and significant exterior maintenance/repairs must have prior written approval from the ASC.

31. **No Subdivision of Lots:** No Lot shall be subdivided or its boundaries changed, except without the written consent of the HWPOA. (*Protective Covenants, Section 11.31*)

32. **Walls and Fences:** No walls or fence shall be erected, placed, or altered on any Lot nearer to any street than the minimum setback line unless the same be a retaining wall of masonry construction which does not rise above the finished grade elevation of the earth embankment so retained, reinforced or stabilized, except that this restriction shall not apply to fences or walls which have been approved by the ASC. The exposed part of retaining walls shall be made of a clay brick, natural stone, stucco, or veneered with brick or natural stone, and the finished side of fences must be the side exposed to view by those

outside of the Lots. Posts and braces shall be placed on the inside of the fence, and out of view from outside. Chain link fences are generally prohibited on individual lots. *(Protective Covenants, Section 11.32)*

Garden walls and fences must be approved by the ASC. Fences are generally discouraged but may be considered on a case by case basis. Chain link fences, wooden fences, brightly colored, and white fences are prohibited on individual Lots. The preferred fencing material is a decorative black metal fence, similar to the one surrounding the pool area. Underground “invisible” fencing is the preferred method for exterior pet containment. *(ASC Guidelines, Section 5.11)*

All underground “invisible” fencing must be within the property lines of Owner’s Lot and not to encroach upon adjacent Lots or Common Areas.

ASC APPROVAL and HOURS OF CONSTRUCTION:

- 33. Prior ASC Approval: No construction or significant landscaping activity is allowed without prior ASC approval.** Owners and Contractors should familiarize themselves with all the portions of the Protective Covenants and the ASC Guidelines (including the Construction-Access Agreement and the HW Work Rules and Regulations) including all of the above, and specifically those relating to construction in order to comply there with. *(Protective Covenants, Article XI and ASC Guidelines, Section 4.6)*

All significant exterior improvements, repairs, maintenance (i.e. new roof, or paint) and landscape modifications/improvements must have prior written approval from the ASC. This is necessary to verify that color or style is still the same and/or to approve any changes to shingles, paint color, or style etc. Debris caused from such maintenance or repairs must be removed in a timely manner.

- 34. Hours of Construction:** The hours during which construction activities are allowed applies to all contractors, sub-contractors, employees, material suppliers, agents, and professional landscapers, that are **on the property or home of any POA member**. The hours during which construction activities are allowed are as follows:

- a. 7:00 am - 7:00 pm **Monday - Friday**; and 8:00 am - 5:00 pm **Saturday**
- b. **No construction activities may be conducted on SUNDAYS, New Year’s Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, or Christmas Day** except by special emergency permit to be issued by the ASC on a case-by-case basis, i.e. acts of God.

(Harbour Watch Work Rules & Regulations)

LANDSCAPING, LAWNS AND MAINTENANCE:

35. **Landscaping:** Foundation plantings are required on all sides of the house. Some portions of the yard (i.e. the streetscapes) will be landscaped and manicured while other portions (i.e. the Vegetative Buffer Areas) may be set aside and maintained in a more natural state. In general, front yards are intended to be landscaped and highly manicured, while the rear yards are intended to be mostly natural (except for foundation plantings). Where feasible, side yards shall include a mixture of mature and younger plantings designed to protect privacy. Large, bushy shrubs or trees planted in the front or side yards that are intended to be privacy screening are to be considered on a case by case basis. “Lake view” easements and privacy landscaping can not be valued one over the other. *(ASC Guidelines, Section 5.6.3)*
36. **Landscape Additions and Improvements:** All “decorative” structures (such as flagpoles, bird baths, statues, etc.) to be placed in the front yards must be approved in writing by the ASC as to style, material, color, location, etc. In general, fountains, urns, flower pots, and rellises, etc. are acceptable as long as they are situated close to the house and are bordered or surrounded by shrubbery and blend or complement the house in a low-impact fashion. Also, items such as benches in the yard may be acceptable as long as they are natural and low-impact in color and complemented by shrubbery. Back yard fire pits must be approved by the ASC prior to installation. Items in the rear yards are to be less restricted and may be required to be submitted for approval to the ASC if a complaint about such item is brought to the ASC by a POA member. This clarification for the rear yard is in addition to the requirement to seek ASC approval for swing sets, back yard structures, landscape screening, fencing, swimming pools, landscape lighting, etc. All items that are considered offensive or obscene are not acceptable. *(ASC Guidelines, Section 5.6.12)*

One American flag may be displayed in the front yard without prior ASC approval: however, a free-standing flagpole must be approved prior to placement. Any additional flags must be limited to one per household, e.g. seasonal flags, holiday flags, special occasion flags, mascot flags, or state flags, etc. If the flag size is over six square feet, the flag must be approved by the ASC. Seasonal decorations, such as for Fall/ Halloween or Christmas, do not require prior approval as long as they are not excessive and are not placed in the front yards for an unreasonable amount of time before or after the holiday.

37. **Irrigation Systems:** An underground irrigation system is required to maintain lawn areas and shrubbery beds in a healthy and attractive manner. No individual water system or well or any type shall be maintained, drilled or permitted on any Lot without the express written permission from the ASC. *(Protective Covenants, Section 11.24 and ASC Guidelines, Section 5.6.4)*

Waterfront Lots may remove water from Lake Murray with the installation of an irrigation system in the 75-foot buffer zone. Such irrigation systems require prior written approval from the HW POA or the ASC before installation.

(Protective Covenants, Section 12.01)

38. **Lawn and Landscape Maintenance:** All maintenance and repair of Lots, together with all other improvements thereon and all lawns, landscaping and grounds within a Lot shall be the responsibility of the Owner of such Lot. Each Owner shall be responsible for maintaining his Lot in a neat, clean and sanitary condition, and such responsibility shall include the maintenance and care of all exterior surfaces of all dwellings, buildings, and other structures and all lawns, trees, shrubs, hedges, grass and other landscaping. *(Protective Covenants, Section 9.01)*

Lawn maintenance is a year-round requirement with some seasons requiring more attention than others. Regardless of the season, a neat appearance must be maintained. Homeowners should not allow their lawn and landscaping to become overgrown, unsightly, excessive amount of weeds. Homeowners need to be mindful of maintaining an appropriate mowing, edging and pruning schedule according to the growing seasons. An adequate amount of ground cover (mulch) in natural areas, plant or garden beds should be sufficient so as to cover tree roots and exposed soil. Replenishing and refreshing of mulch should be done regularly as it naturally decomposes, so as to maintain a neat appearance from the street and neighbors' views. Lawns, natural areas, and buffer areas abutting any Lot should be kept free of weeds and debris. If the home is uninhabited for a period of time, it is the owner's responsibility to make sure that the yard and landscaping are still maintained to community standards.

NOTE: The ASC reserves the right to disapprove any type of grass, plants, trees, mulch, bedding material, sprinklers, etc. that it shall deem unsuitable for use in a certain location both on one's Lot and in the buffer areas. *(ASC Guidelines, Section 5.6.6)*

39. **POA Owned Maintenance Equipment:** Maintenance equipment owned by the HWPOA is strictly prohibited for use on any private property, unless prior approval is granted, in writing, by the HWPOA Board of Directors.

ADDITIONAL HW POA RULES AND REGULATIONS:

40. **Solicitation:** Outside solicitation within the Harbour Watch community is strictly prohibited. Homeowners and Lot owners are not allowed to put flyers in newspaper boxes unless approved in advance by the HWPOA. Flyers will be permitted for charity or community interest as long as submitted by an individual community member. Flyers intended for solicitation, e.g. sales of homes, services, business opportunities, etc. are not permitted for distribution in newspaper boxes. Door to door solicitation for any purpose

is not allowed unless approved in advance by the POA Board. Requests for exceptions to the rule should be addressed in writing to the POA President.

41. Burning Debris Policy and Fire Pits: Adopted Policy on 13th Day of November, 2013. The Board in its sole discretion, has determined that the burning of debris which creates nuisance smoke, diminishes the Association Members' enjoyment of the property and poses a health and safety risk for the community; Therefore, the Board hereby adopts the following policy relating to the burning of debris and the creation of nuisance smoke:

1. The creation of nuisance smoke, which shall be determined in the sole discretion of the Board, shall be prohibited in the community. The open burning of leaves, tree branches, brush and/or yard trimmings within the Harbour Watch gated community is considered to create nuisance smoke and therefore prohibited.
2. Open burning of any debris anywhere within the Harbour Watch gated community which creates nuisance smoke or poses a fire hazard to property within the community, in the sole discretion of the Board, shall be prohibited.
3. This policy shall in no way restrict the use of outdoor grills, smokers, or other similar household devices which burn clean wood or charcoal and are used for recreational purposes conditional upon compliance with items #1 and #2 above.

Amendment added October, 2018:

4. **Fire pits** may be used for recreational purposes only. The use of fire pits to burn yard debris, especially leaves, or any household debris is prohibited. A fire screen may be necessary on windy days to prevent sparks or embers from becoming a health, safety or fire risk. Wood that is natural and untreated, seasoned hardwoods, or charcoal are recommended as a safer fuel for fire pits. (Dry wood produces less smoke than wood that is wet or has a higher moisture content.) The following types of items are examples of prohibited burning materials in Harbour Watch due to the very toxic and poisonous gasses that they release: wood material that is stained, painted, pressure treated, plywood, or any wood that contains any type of glues or resins; any type of plastic, i.e., cups, plates, plastic ware, plastic wrap, food wrappings, juice boxes, and styrofoam. It is recommended that fires not be left unattended, put it out before you leave.
5. Fire pits must have prior written approval from the ASC before they can be added to any Lot.

(Protective Covenants, Section 11.10, re: Nuisances)

42. **Fireworks:** The discharge of non aerial fireworks at Harbour Watch is allowed only on the property of the Owner, but not in the street or common areas. Aerial fireworks may only be discharged from Owner docks. To limit HWPOA liability, no aerial fireworks are permitted in or on any common areas or community docks. Fireworks must not endanger the safety of individuals, nor may fireworks materials encroach upon the property of others. (*Protective Covenants, Section 11.10, re: Nuisances*)
43. **Recreational Equipment:** Swing sets, trampolines, play houses, etc. may be approved on a case-by-case basis by the ASC. Generally, they will be approved only for the back yard and screened from view from the street. To lessen the visual impact of recreation equipment from neighboring lots, the ASC may recommend that some landscaping be used to “soften the view”. (*ASC Guidelines, Section 5.16*)

Permanent basketball goals and posts are not permitted on individual lots. Portable basketball goals may be allowed on a case-by-case basis so long as they are stored in a proper location, not visible from the street, when not in use. The noise level when using recreation equipment must be kept to a reasonable minimum in order to avoid a “nuisance” factor for neighboring homeowners. The use of recreational equipment that may be deemed to cause a nuisance shall be limited to the hours of 7:00am till 10:00pm.

44. **Golf Carts:** Golf carts are permissible so long as they are stored fully inside a garage or service yard that has been approved for the storage of said golf cart. (*Protective Covenant, Section 11.11 Noise*)

Electric golf carts are preferred for use in Harbour Watch. Gas powered golf carts will be considered a noise nuisance, and their use is **restricted** to the paved roads of Harbour Watch. Golf carts may only be parked in areas set aside, and designated as “Golf Cart Parking”. When operating a golf cart within Harbour Watch at night, the golf cart must be equipped with head lights and tail lights.

Children must be at least thirteen (13) years old to operate a golf cart in Harbour Watch without an adult. Children under the age of thirteen (13) may operate a golf cart in Harbour Watch with a responsible adult (at least eighteen (18) years old) sitting next to them. Homeowners will be held financially and solely responsible for any accident causing physical or property damage that occurs from the use of golf cart, regardless of who is driving.

The streets within the gates of Harbour Watch are privately maintained and not subject to SC Laws regarding the use of golf carts. However, POA members are encouraged to familiarize themselves with the SC Laws regarding the use of golf carts. Please be aware that when operating golf carts **outside the gates** of Harbour Watch, the SC Laws are mandatory. Golf carts used **outside the gates** of Harbour Watch must be properly permitted by the SC DMV.

For your information: Listed below are the laws from the South Carolina Department of Public Safety regarding golf cart operation and permits on streets and highways (i.e., ***outside the gates of Harbour Watch***), as per SC Code of Laws Section 56-2-105.

- The Permit Registration must be carried when the golf cart is operated (**outside the gates** of Harbour Watch).
- Golf cart can only be operated during daylight hours.
- Operator must have a valid driver's license and must be at least sixteen years of age.
- The driver's license must be in the operator's possession.
- May be driven on a secondary highway or street for which the posted speed limit is thirty-five miles per hour or less, within 4 miles of residential or additional address noted above.
- May cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty-five miles per hour.

NOTE: To register your golf cart, you must go through the SCDMV, complete the Golf Cart Permit Registration (ACDMV Form GC-2), and pay \$5 for a permit. You will need to provide proof of insurance to obtain a permit. Golf cart permits must be replaced every five years or if your address changes. Immediately notify the SC DMV of any changes to the original permit.

45. **Traffic Safety in Harbour Watch:** Observation of all speed limits and traffic signs within Harbour Watch is mandatory, and will be enforced by the POA, for the safety of all residents, guests, children and animals. This is necessary because of the several “close calls” on some streets and the amount of golf carts, walkers, children, and construction vehicles that are using our roads on a daily basis. Due to hill gradients and the curve radius of some roads, speed limits are not the same throughout Harbour Watch.

NOTE: Harbour Watch is a gated community and, as such, the roads are privately maintained and not subject to the same traffic rules as roads that are publicly maintained. As a gated community, prior to the construction of roads in HW, Lexington County did a study of the curve radius and hill gradients to determine safe speed limits on every street in Harbour Watch. The speed limits posted throughout HW is the maximum speed for the safety of neighbors walking and biking, pets and children who may dart out into the street and wild animals that share our neighborhood. Likewise, the location of all traffic signs was also determined by the County.

LAKEFRONT RESTRICTIONS:

46. **75-Foot Buffer Zone:** All lakefront lots in Harbour Watch border a 75' vegetative buffer zone along the shoreline that adds a sense of nature to every yard, softens the visual characteristics of the shoreline, and preserves the sensitive ecosystems in the shallow waters. **The vegetative buffer zone should be maintained in its present, natural**

condition. The ASC and PWPOA do not promote landscaping of any kind in the buffer zone. Some natural thinning of the tree canopy in the vegetative buffer zone may occur over time. If trees die from natural causes (i.e. wind, lightning, age, etc.), the POA may recommend replacement of lost vegetation; however, many environmental experts recommend that the tree canopy not be allowed to become so dense as to prohibit adequate sunlight from reaching low growing vegetative ground cover within the 76 foot buffer. **Proper approved ground cover will help protect against soil erosion and help filter impurities from surface water run-off prior to entering Lake Murray.** Any planned improvements within these areas must be approved in writing, in advance, by the POA or the ASC (as well as SCE&G). Any activity within these areas shall not endanger health, create a nuisance, or otherwise be incompatible with recreational use of Lake Murray. (*Protective Covenants, Section 7.4; Protective Covenants, Article XII; and ASC Guidelines, Section 5.6.7*)

Recreational items such as picnic tables, chairs, hammocks, fire pits, etc, may be placed in the 75-foot buffer zone with prior written approval from the ASC. These items must blend in with the natural setting; be easily removable; and must not be permanently placed. Any item placed in the buffer zone must not disturb the natural environment. (*ASC Guidelines, Section 5.6.7.1*)

47. **Restrictions on Lakes and Lakefront Areas:** Any Lot that shall abut upon Lake Murray (including the 75-foot buffer zone) shall be subject to additional restrictions.
- (a) No pier, dock, sprinkler, wall, revetment, rip-rap or other structure shall be built, placed or maintained upon or adjacent to any Lot or shoreline except with the specific written approval of the ASC. As to any such structure, approval by the ASC shall be required prior to submission for approvals or permits from SCE&G (its successors or assigns), or any such private or governmental agency as many be now or hereafter required.
 - (b) Except with the prior written approval of the POA or the ASC, no device or material may be constructed, placed or installed upon any Lot which shall in any way alter the course of natural boundaries of any water way or which shall involve or result in the removal of water from any waterway.

Approval from the POA or the ASC is in addition to any permits required from SCE&G Lake Management. Granting of ASC approval does not release the property owner from responsibility of obtaining all permits and all inspections from SCE&G Lake Management. The issuance of a permit by SCE&G does not constitute ASC approval. Both approvals must be obtained before any dock or shoreline construction begins. (*Protective Covenants, Section 12.01; and ASC Guidelines, Section VII-Shoreline Protection*)

48. **Dock Maintenance and Improvements:** Dock owners are required to keep their docks in good repair. Should owners neglect the maintenance of their docks and docks fall into disrepair, the POA/ASC shall have the right to cure such disrepair as per Protective Covenants, Section 9.04.

All improvements, additions and/or changes to the appearance of docks must have prior written approval from the ASC.

- (a) All lighting on docks must be installed in such a manner as to prohibit bright and direct lighting that causes a nuisance for surrounding property owners. Dock lighting must be low voltage, low wattage, and hooded as necessary to prevent causing a nuisance. Motion detectors and/or timers may be required. Exposed wiring is prohibited.
- (b) Attached benches and seats are restricted from use on the hinged ramp and floating dock.
- (c) Attached wooden dock boxes are allowed only on the fixed dock.
- (d) Boathouses and open style slip coverings are prohibited.
- (e) Only semi-transparent stains or bleaching oils are permitted in natural wood colors, such as shades of tan, brown or driftwood. Solid body paints or stains, or any color added to a dock must have prior written approval from the ASC. Transparent waterproofing of the dock that does not change the natural color of the wood on the dock needs no prior approval and is considered routine maintenance.

(ASC Guidelines, Section VI)

AMENITIES:

49. **Common Areas and Vegetative Buffer Areas:** Harbour Watch has reserved Vegetative Buffer Areas at various locations on nearly all interior lots. These buffers are intended to preserve the natural setting of the community, while also preserving and improving the privacy of the residents. The exterior of all homes and the yards (not just the front yards, but also the back yards and side yards) must be well-kept, neat and clear of debris and clutter at all times. Any proposed activity which may affect the natural environment, vegetation, underbrush and/or trees, including planting, removal, or disturbance of any type) with the Vegetative Buffer Areas must be approved in advance by the ASC. *(Protective Covenant, Section 7.4)*

Common Areas of Harbour Watch are not only the vegetative buffer areas, but also the nature trails, parks, Phase 5b, and shorelines of Lake Murray. These are all considered to be valuable amenities and must be protected to maintain these natural areas. *(ASC Guidelines, Section 5.6.13)*

Yard debris, such as lawn or shrubbery clippings, should not be disposed of in common areas, vacant lots, vegetative buffer areas, or the 75-foot buffer zone. **Gas powered vehicles** are considered a noise nuisance and interfere with enjoyment of the HW amenities by POA members, therefore, **they will NOT be permitted in the protected areas of Harbour Watch: common areas (that are not paved), walking paths, or buffer zones.** Gas powered maintenance vehicles may occasionally be necessary and allowed to operate in this protected areas.

50. **Clubhouse:** The Clubhouse is a *non-smoking* building including the upper and lower deck areas. Smoking is permitted outside of the fenced area only. In addition, no pets are allowed within the gated area. The maximum number of people in the clubhouse cannot exceed 60 people. The Clubhouse will generally be reserved for community Harbour Watch gatherings on major holidays, (such as: Memorial Day, July Fourth, Labor Day, Christmas Parade, New Year's Eve and Super Bowl Sunday or other special HW events). Use of the Clubhouse facilities for these HW community gatherings will take priority over the use for private purposes and therefore are not available for individual reservation. POA members in charge of HW community gatherings in the Clubhouse are also reminded to follow the rules and guidelines of use and clean up responsibilities of the Clubhouse as they appear in the Clubhouse Leasing documents. These documents are available on the HW website, *Harbourwatch.mysite.com*.

Reservation of the Clubhouse is for personal use only (supporting family members, relatives, friends, neighbors). Reservation of the Clubhouse is for the upstairs area **only, not the pool or pool deck**. This means, that while the pool and pool deck can be used, it can not be reserved or used by more than ten (10) guests per Lot Owner at any time. The property owner (Lessee) must be in attendance throughout the entire reservations time. ***The Clubhouse must be reserved and rented if a POA member has more than 10 guests at the pool and pool deck area.***

The Clubhouse is handicapped accessible by using the elevator located on the lower pool deck. For safety and liability reasons, the operation of the elevator requires the use of a key. Information on how to gain access to the key for operating the elevator may be obtained by contacting the Clubhouse Committee.

For more information about Harbour Watch Clubhouse Reservations, Rules, Guidelines, and Leasing Procedures, please refer to the Harbour Watch Website under the listing of "Documents" (*Harbourwatch.mysite.com*).

51. **Pool:** Basic rules are to be observed in and around the pool area at all times. **For liability and safety reasons, all POA members must be aware of the following rules and abide by them. All POA members are responsible for their guests, and for making sure that their guests understand and comply with the HW rules while using the pool and pool deck area.**

- The pool is for **POA members only and their guests**. POA guests are not permitted to use the pool if the POA member is NOT present in the Harbour Watch community at the time the guest(s) are using the pool and pool area.
- POA members may have no more than 10 guests at the pool at any time. The Clubhouse must be rented by the POA member if more than ten guests are at the pool.
- **Be aware that there is no lifeguard on duty, and swim at your own risk.**
- Swimming times for the pool are between 7:00 am and 10:00 pm. The Clubhouse pool deck area is also closed after 10:00 pm.
- No one is permitted to swim alone, or at least without someone observing, at deck side.
- A responsible adult, age 18 years or older, must be present whenever anyone under the age of thirteen (13) is using the pool, or is in the pool deck area.
- There are to be **NO GLASS** containers, glasses, bottles, etc. on (or in) the entire downstairs area; including, but not limited to, the pool deck/bar area.
- No riding of bicycles or skateboards within the pool area.
- Children not yet toilet trained must wear “swimmers” diapers.
- Do not put any materials (liquids, solids, matter of any type) into the pool.
- Smoking or chewing tobacco is NOT permitted within the pool enclosure. The NO SMOKING ban includes e-cigarettes and all other devices or substances that emit second-hand smoke or vapors into the air.
- Trash and waste must be put into trash cans and not left out in the clubhouse area. Use recycling bins when appropriate.
- POA members are responsible for ensuring that their guests know and abide by the pool rules.
- The Pool and Pool Deck cannot be reserved, they remain open to all residents and lot owners between the hours of 7:00am and 10:00pm.
- Please be respectful of all POA members and make sure that excessive number of guests, accompanying a member, using the pool and pool area, does not dominate or overwhelm the lower deck and pool area and interfere with the enjoyment and use of the pool by other POA members. ***The Clubhouse must be reserved and rented if a POA member has more than 10 guests at the pool and pool deck area.***
- After using the pool facilities, please put furniture back in place; turn off fans, lights, and sound equipment; discard your trash; clean the barbeque grill; clean area around the barbeque area and the kitchen, if used.

In Addition: The following pool rules are required by DHEC to also be posted at the pool at all times and must be adhered to for liability and safety reasons:

- No solo swimming by any person without someone observing from the pool deck
- No running, boisterous or rough play
- No person under the influence of alcohol or drugs should use the pool
- No spitting or blowing nose in the pool
- Persons with diarrheal illness, nausea, open lesions, or wounds should not enter the pool
- Persons with skin, eye, ear, or respiratory infections should not enter the pool

- No animals or pets allowed in the pool area
- No glass allowed in the pool or on the deck
- No children should be in the pool without supervision
- Everyone should shower before entering the pool
- The pool is open from 7am to 10pm.
- The maximum number of swimmers allowed in the pool is 160
- A first aid kit is located at the pool bar
- An emergency phone is located at the pool bar
- Life saving equipment is located on the fence

52. **Tennis Courts:** These rules are also posted at the Tennis Courts:

- Hours: 8:00 am - 10:00 pm
- Children under the age of thirteen (13) must be accompanied by an adult
- Proper tennis attire required; smooth soled (soft court) tennis shoes only
- Proper etiquette is expected of everyone
- Limit play to 1 1/2 hours if others are waiting
- Players must leave the court ready for use by those who follow
- Please use the last five minutes to sweep courts and lines
- Turn lights off prior to leaving
- No bicycles, skateboards, scooters, or loitering on the tennis courts

53. **Exercise Room:** The exercise room is available for POA members and their guests between the hours of 5:00 am and 10:00 pm. No one under the age of 18 may be in the room without a responsible adult in attendance, so as to avoid injuries while using the equipment.

54. **Putting Green:** Hours for use are from dawn until dusk.

55. **Sunrise Pointe, Community Parks and Nature Trails:** Hours for use are from dawn until dusk. Electric golf carts are permissible, if accessible.

56. **Privacy Gate at Entrance:** The privacy gate is maintained by the HWPOA. To ensure limited access to Harbour Watch and protect our privacy and maximize our security, change your code periodically and refrain from giving it out to others. Temporary codes are available for use for house parties, extended house guests, and repairs or maintenance to your home or property that may need more than a few days to complete. Just for information purposes, the gate will automatically stay open during a power outage, and the gates will open for emergency vehicles with YELP sirens in use.

57. **Marina Use by POA Members:** POA members, who are not Boat Owner's Association (BOA) members, may use the marina on a limited basis, so as not to be prosecuted for trespassing. All POA members must be aware and adhere to the rules of the BOA when

using the marina as a guest. The BOA Marina Rules and Regulations may be found at the Harbour Watch website www.harbourwatch.mysite.com. **The designated boat slip for temporary use by POA members is C-4 (or at the far end of Legs A/B/C) for the daylight hours only.** C-2 is reserved for use as a “pump-out” station.

58. **Boat Ramp:** For liability reasons, the boat ramp may only be used by POA members. A guest of a POA member may use the ramp if the POA member is present at the time the guest is using the boat ramp.
59. **Designated Boat Trailer Parking Guidelines at the Marina and Clubhouse area:** These guidelines were put in place to balance the parking needs of POA members who are using the clubhouse, pool, and tennis court areas with the parking needs of POA members that need a place to park boat trailers while on the lake.
1. No boat trailer parking in common areas other than designated spaces.
 2. Boat trailer designated parking spaces: (See Map on next page)
Spaces **A & B** - Rock gravel driveway to maintenance shed (**weekends only**).
Space **C** - Parking area between putting green and Port O’ Call Drive.
Spaces **D, E, & F** - Parking area just past putting green (**back-in only**).
Space **G** - Parking area across from Spaces D, E, & F (**Monday thru Thursday only**).
 3. Designated parking areas for use only while boat owner is on the lake.
 4. Designated parkings areas may NOT be used for cleaning, maintenance, etc.
 5. **No overnight** boat trailer, or any other type of trailer, parking.
 6. Trailer parking violations are subject to normal HW rules enforcement.

(See map on following page for Boat Trailer Parking Designated Areas)



Boat Trailer Parking Designated Areas

- A - weekend only
- B - weekend only
- C - anytime
- D - back in parking anytime
- E - back in parking anytime
- F - back in parking anytime
- G - Mon-Thurs only



ENFORCEMENT PROCEDURES AND APPEAL PROCESS

The Harbour Watch Board of Directors has adopted the following procedures for enforcement of the Rules and Regulations of our community.

The HW Board of Directors appointed a **Rules Enforcement Committee (REC)** to collect and report violations and to notify POA members of violations. *Violations can be reported through a secure email account (harbourwatchrules@gmail.com).* This email account is password accessible only to the Rules Enforcement Committee members and the HW POA Board of Directors. All email complaints will be kept confidential, unless permission by the writer of the email is given. All violations will be verified and addressed consistently and fairly, by REC, according to the following procedures adopted and approved by the HW Board of Directors.

ENFORCEMENT PROCEDURES:

1. After receiving an email notification of a violation from a POA member, the Rules Enforcement Committee is authorized to send out a Reminder letter to the offending POA member(s). This Reminder letter may be delivered by email, in the homeowner's newspaper box, or by mail. This letter is meant to inform the POA member(s) of a violation of the HW Rules and Regulations as outlined in this document. The letter will specify which item from this Document is out of compliance, and request that the violation be corrected.
2. After receiving a Reminder letter and the violation is not corrected, after what the Rules Enforcement Committee deems to be an appropriate amount of time, a Warning letter will be mailed by the Rules Enforcement Committee. This letter will indicate that the violation must be corrected within ten (10) days.
3. After receiving a Warning letter and the violation is not corrected after ten (10) days, a Final Notice letter will be mailed by the Rules Enforcement Committee. This letter will indicate that the violation, and the file will then be sent to the HWPOA Board of Directors for appropriate action. The HWPOA Board is legally authorized to use necessary and appropriate enforcement to resolve violations to these HW Rules and Regulations. Appropriate enforcement, by the Board, may be in the form of: fines, liens, loss of POA membership rights, or legal action.

APPEALS PROCESS:

The HWPOA Board of Directors has set up the following Appeals Process for POA members who wish to appeal any enforcement decision that has been made by the Board.

1. A written notice of Appeal (“Notice of Appeal”) must be received by the President of the Board of Directors within ten (10) days after any enforcement decision from the Board has formally been received.
2. The Board will formally hear any appeal by the POA member at the next meeting of the Board after receiving the written “Notice of Appeal”.
3. The Board will send written notice to the POA Member of its decision (“Notice of Decision to Appeal”). If the Board upholds its decision, and a fine has been levied, the fine must be paid within fifteen (15) days and the violation must be corrected within fifteen (15) days.
4. If the fine is not paid and the violation not corrected within fifteen (15) days, this “Notice of Decision to Appeal” will indicate that the HWPOA may pursue its legal remedies by turning the file over to legal counsel for enforcement.

Please Note the following:

HW Boat Owner’s Association (HWBOA): Complaints, concerns or violations that pertain to the HWBOA Rules will be forwarded to the HWBOA. The HWBOA has their own Board and has a procedure for handling violations related to the BOA Rules. A copy of their rules can also be accessed on the Harbour Watch website. All POA members and their guests, regardless of membership or not in the BOA, are responsible for following the BOA rules when using the Marina. *(See also, HW Protective Covenants, Section 4.01, BOA)*

ASC: Complaints, concerns or violations that pertain to and during the building process are handled through the ASC. The procedure for enforcement of non-compliance from builders and their sub-contractors is different from the procedure in place for POA members. The complete and most current revision of the ASC Guidelines is accessible on the Harbour Watch website. *(See also, HW Protective Covenants, Section 5.01, ASC)*